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FM AMEMBASSY TOKYO

TO RUEHC/SECSTATE WASHDC IMMEDIATE 8361

INFO RUEHZJ/HUMAN RIGHTS COUNCIL COLLECTIVE PRIORITY

RUCNISL/ISLAMIC COLLECTIVE PRIORITY

RUEHEG/AMEMBASSY CAIRO PRIORITY 0354

RUEHFK/AMCONSUL FUKUOKA PRIORITY 8041

RUEHNH/AMCONSUL NAHA PRIORITY 0387

RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 1853

RUEHKS/AMCONSUL SAPPORO PRIORITY 8542

RUEHGV/USMISSION GENEVA PRIORITY 3621

RUCNDT/USMISSION USUN NEW YORK PRIORITY 8501

C O N F I D E N T I A L TOKYO 002920

SIPDIS

E.O. 12958: DECL: 12/21/2019

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SUBJECT: WHY JAPAN ABSTAINS ON DEFAMATION OF RELIGION

REF: STATE 128320

Classified By: Acting Pol M/C Joe Young per reasons 1.4 (b, d)

¶1. (C) Following its normal practice, Japan once again abstained on the Defamation of Religion resolution. According to MOFA Human Rights and Humanitarian Affairs Division Deputy Director Makoto Tanabe, Japan thinks that the Defamation of Religion resolution is "not a good resolution, but it is not bad enough to vote against." Japan, he said, agrees with the United States on the importance of freedom of expression, but balances this with a concern about acts of religious hatred, such as those which occurred recently in Europe. "In fact," he said, "we have also had some acts of religious hatred in Japan, including the burning of a Koran and negative depictions of Muslims in cartoons." In Japan these acts are not criminalized but the government makes a point of holding news conferences to condemn the acts when they occur. "We feel," said Tanabe, "that we are in the middle. We don't want to criminalize free expression, but we need to be careful about the destructive potential of religious hate speech."

¶2. (C) Tanabe went on to suggest that the United States negotiate to achieve a text that was acceptable to all. He pointed out that the "Freedom of Expression" resolution which the United States offered in September included language that clearly attempted to address the problems raised by religious hate speech. Tanabe pointed to the 1999 Defamation of Religion resolution which passed by consensus as an example of what might be possible.

¶3. (3) Comment: Although Japan denies its abstention on this issue is motivated in part by a desire to secure OIC support for its own resolutions, some within the GOJ have also made this observation. As a matter of policy, Japan seeks consensus on resolutions, and, as such, on potentially divisive issues it prefers to abstain. The Defamation of Religion issue is not widely followed in Japan, and so an attempt to motivate human rights NGOs or other elements of civil society, while not impossible, would probably be overwhelmed by concerns that are higher on their agenda. MOFA remains the main player on this issue. The new Democratic Party of Japan (DPJ)-led government has not weighed in but at present MOFA career diplomats characterize the new political leadership as moving cautiously on human rights issues. End Comment.  
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